

REMARKS

This paper is filed in response to the Office Action dated July 12, 2004, setting a one-month period to respond. As this paper is filed on August 12, 2004, the paper is timely filed.

I. Status of Amendments

Claims 71-101 were pending prior to this response. No amendments are made by this response. Thus, claims 71-101 remain pending.

II. Response to the July 12 Office Action

In the July 12 Office Action, claims 71-101 were withdrawn from consideration as “directed to an invention that is independent or distinct from the invention originally claimed.” The specific basis is given as:

The original claims were drawn to a method of providing a bonus game and the new claims are for a gaming apparatus. There is a significant difference between the originally claimed method and currently claimed apparatus.

Applicants respectfully disagree.

Initially, applicants note that the application, as filed, included both method and apparatus claims. Claims 1-30 were method claims, and claims 31-60 were apparatus claims. Claims 61-70 were drafted to a computer readable medium containing computer instructions. All 70 claims were examined without restriction in the Office Action of November 6, 2003.

Further, applicants note that the amendment of April 6, 2004 included both method and apparatus claims. Claims 71-86 are apparatus claims, while claims 87-101 are method claims.

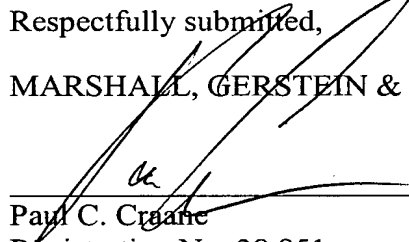
Consequently, the statement that the original claims were drafted solely (implied) to a method of providing a bonus game is not supported by the record. Nor is it supported by the record that the new claims are solely (again, implied) for a gaming apparatus. The pending claims have always included both method and apparatus claims.

Further, applicants would respectfully disagree that the new claims are directed to subject matter not present in the original claim set. Applicants have already indicated how the new claims are similar to the original claims at pages 12-15 of the April 6 Amendment. A specific comparison is made between new claims 85 and 100 and original claim 12 at page 13. In the same fashion, the connection between new claim 70 and the original claims can be found at the bottom of page 12 and the top of page 13 of the April 6 Amendment.

Therefore, applicants submit that claims 71-101 are not directed to non-elected subject matter, that claims 71-101 should not be withdrawn from consideration, and that the April 6 Amendment is fully responsive to the prior Office Action.

In view of the foregoing and the April 6 Amendment, it is respectfully submitted that the above application is in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is requested to contact the undersigned representative at the telephone number set forth below.

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Respectfully submitted,
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